

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HERMAN WILLIAMS,

Plaintiff,

v.

LUCIAN TESSMANN, *et al.*,

Case No. 1:23-cv-05945

Hon. Sunil R. Harjani

Hon. Daniel P. McLaughlin

JOINT STATUS REPORT

Plaintiff Herman Williams, by and through his attorneys, Romanucci & Blandin, LLC, and Hart McLaughlin & Eldridge, LLC, and Defendant Lucian Tessmann, by and through his counsel, Ekl Williams Provenzale, LLC; Defendant City of Waukegan, Illinois, by and through its counsel, HeplerBroom, LLC; Defendants Charles Fagan, Dennis Pensala, Richard Davies, Kevin Berrill, as Special Representative for Robert Randall, deceased, Leonard Brezinski, Daniel Colin, Lake County, Illinois, Village of Vernon Hills, Illinois, and John Idleburg, in his official capacity as Sheriff of Lake County, by and through their counsel, The Sotos Law Firm, P.C.; Defendant Lake County Major Crimes Task Force, by and through its counsel, Ancel Glink; Defendants Kimberly Garofalo, as Independent Administrator of Gregory Garofalo, deceased, and Village of Gurnee, by and through their counsel, Schain Banks Kenny & Schwartz, Ltd; and Defendants Charles Bell and Village of Libertyville, Illinois, by and through their counsel, Rock Fusco and Connelly, LLC, submit this report on the discovery progress and the prospects of settlement, in accordance with the Court's order:

Status of Settlement

The parties have agreed to mediate this case before a private mediator (Hon. Joseph Casciato (Ret.)). Defendants are currently coordinating with their clients to try to confirm an August date for the mediation.

Discovery Progress

WRITTEN DISCOVERY

The parties have continued to work diligently on written discovery. Plaintiff recently supplemented responses to contention interrogatories to multiple Defendants based on several depositions.

Following the recent deposition of Plaintiff Herman Williams (June 11), Defendants issued several third-party document subpoenas, which will be coming due in July.

Further, the parties have made supplemental productions relating to May 22, 2025, inspection of evidence at the Gurnee Police Department.

Finally, Plaintiff is working on responding to three document subpoenas served on family members of Herman Williams.

JAIL CALL RECORDINGS

In early June, the parties received approximately 265 hours of jail call recordings for Plaintiff and have been working to review those.

INSPECTION AND DIGITIZATION OF OLD MEDIA

The digitization of old media (film, VHS tapes, old audio recordings), including those identified at the May 22, 2025, inspection of the Gurnee Police Department, is underway. The process to create protocols, provide notice to the State's Attorney's Office, and identify vendors capable of

the digitization of various types of old media took time. The parties anticipate the digitization process being substantially completed by the end of July or early August, so that they can review the same.

FACT DEPOSITIONS

Completed

The parties have continued fact depositions since their last report. The parties have now completed 17 fact depositions (an additional three depositions since the last status report on May 29), including an 8-hour deposition of Plaintiff Herman Williams.

Depositions Scheduled and Being Rescheduled

Currently, the parties have depositions scheduled/confirmed for July 8, July 10, and August 12.

As previously reported, certain Defendant depositions were canceled, primarily due to witness availability or health, and are being rescheduled. Plaintiff has reached out to Defendants for availability regarding the rescheduling of seven depositions; scheduling has been somewhat difficult due to the number of attorneys involved and accompanying professional/trial or travel schedules.

Defendants have also asked for the depositions of Herman Williams' two children and the parties anticipate those depositions being confirmed soon.

Defendants are also rescheduling the deposition of one third-party subpoenaed deponent (originally subpoenaed for July 14), due to that witness' request (the witness is a medical doctor/medical examiner).

Additional Depositions Anticipated

Plaintiff intends to issue Rule 30(b)(6) notices to Defendants Lake County Sheriff, Lake County Major Crimes Task Force, and City of Waukegan, to address *Monell* issues primarily.

As noted above, Defendants recently asked for the depositions of Plaintiff's children. Defendants are still evaluating the need for additional third-party depositions based on the depositions already scheduled and based on jail call recordings that will be produced in the coming weeks.

Parties' Joint Request for 60 Day Extension

Due to the additional items required to be completed above, including that the parties have agreed to mediate, the parties plan to jointly move for a 60-day extension of the August 1, 2025, fact discovery cutoff. The parties will continue to work diligently on discovery and will not slow matters for mediation. However, the parties require this additional time in good faith to complete essential fact discovery and will explain the same to the Court by motion.

Date: June 30, 2025

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